

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

UNITED STATES OF AMERICA,) Case no. 2:03-cr-00272-LRH-PAL
Plaintiff,)
vs.) ORDER
FRED VITALE,)
Defendant.)

Before the court is defendant's Motion for Early Termination of Supervised Release (#64)¹. The court requested a report and recommendation relative to the subject motion, and a supervision report under the date of September 3, 2013, was received.

Given the nature and history relative to the offense for which Mr. Vitale stands convicted, the court is of the view that defendant's motion should be denied at this time.

It does appear, however, that Mr. Vitale has been compliant with the conditions of his supervised release, that he is fully employed, and that he has no other criminal history before or since his conviction in this matter.

The defendant's motion is therefore being denied without prejudice, but if defendant Vitale chooses to file a renewed motion upon the successful completion of ten years of supervised release (to July 2017), the court would consider it at such time.

This is not to state that the court will grant such a motion as any renewed motion will be considered on a completely *de novo* basis.

¹ Refers to the court's docketing number.

1 GOOD CAUSE APPEARING, defendant's Motion for Early Termination of Supervised
2 Release (#64) is **DENIED without prejudice.**

3

4 IT IS SO ORDERED.

5 DATED this 23rd day of December, 2013.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE